

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|  |   |                                |
|--|---|--------------------------------|
| <b>In re:</b>  | ) |                                |
|  | ) | <b>Chapter 15 Case</b>         |
| <b>FAIRFIELD SENTRY LIMITED, et al.,</b>               | ) |                                |
|  | ) | <b>Case No: 10-13164 (SMB)</b> |
| <b>Debtors in Foreign Proceedings.</b>                 | ) | <b>Jointly Administered</b>    |
|  | ) |                                |
| <b>FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,</b> | ) |                                |
|  | ) |                                |
| <b>Plaintiffs,</b>                                     | ) | <b>Adv. Pro. No. 10-03496</b>  |
| <b>-against-</b>                                       | ) |                                |
|  | ) |                                |
| <b>THEODOOR GGC AMSTERDAM, et al.,</b>                 | ) | <b>Administratively</b>        |
|  | ) | <b>Consolidated</b>            |
| <b>Defendants.</b>                                     | ) |                                |
|  | ) |                                |
| <b>FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,</b> | ) |                                |
|  | ) |                                |
| <b>Plaintiffs,</b>                                     | ) | <b>Adv. Pro. No. 10-03635</b>  |
| <b>-against-</b>                                       | ) |                                |
|  | ) |                                |
| <b>ABN AMRO Schweiz AG, et al.,</b>                    | ) |                                |
|  | ) |                                |
| <b>Defendants.</b>                                     | ) |                                |
|  | ) |                                |
| <b>FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,</b> | ) |                                |
|  | ) |                                |
| <b>Plaintiffs,</b>                                     | ) | <b>Adv. Pro. No. 10-03636</b>  |
| <b>-against-</b>                                       | ) |                                |
|  | ) |                                |
| <b>ABN AMRO Schweiz AG, et al.,</b>                    | ) |                                |
|  | ) |                                |
| <b>Defendants.</b>                                     | ) |                                |

**STIPULATION AND CONSENT ORDER**

WHEREAS, on October 18, 2016, the Court entered a Supplemental Case Management Order providing for the integrated briefing of a motion for leave to amend filed by plaintiffs and

motions to dismiss filed by defendants in the above-referenced actions [Docket No. 918] (the “Supplemental CMO”);

WHEREAS, on October 21, 2016, the Court entered a Second Supplemental Case Management Order amending the Supplemental CMO to modify the deadline for filing omnibus papers in individual adversary proceedings [Docket No. 920] (the “Second Supplemental CMO”);

WHEREAS, on January 26, 2017, defendant KBC Investments Limited (“KBC”) filed a supplemental Motion to Dismiss in Adv. Pro. Nos. 10-03635 [Dkt. No. 200] and 10-03636 [Dkt. No. 223] and in the Consolidated Action [Dkt. No. 1095] (“KBC’s Supplemental Motion to Dismiss”);

WHEREAS, on March 23, 2017, the Court entered a Third Supplemental Case Management Order amending the Second Supplemental CMO to modify the deadlines for filing omnibus papers and individual papers in the main administratively consolidated adversary proceeding and the individual adversary proceedings [Docket No. 1326] (the “Third Supplemental CMO”);

WHEREAS, on April 5, 2017, Plaintiffs filed their response to KBC’s Supplemental Motion to Dismiss in the Consolidated Action [Dkt. No. 1380]. On April 12, 2017, Plaintiffs filed their response to KBC’s Supplemental Motion to Dismiss in the Adversary Proceedings Nos. 10-03635 [Dkt. No. 285] and 10-03636 [Dkt. No. 314].

WHEREAS, on June 8, 2017, Plaintiffs and KBC submitted a [Proposed] Stipulation and Consent Order extending KBC’s deadline to file its individual reply in further support of KBC’s Supplemental Motion to Dismiss to June 23, 2017, which on June 8, 2017 was so ordered by the Court [Dkt. No. 339].

WHEREAS, Plaintiffs and KBC have conferred regarding a further extension of KBC's deadline to file its individual reply in further support of KBC's Supplemental Motion to Dismiss in the Third Supplemental CMO, to facilitate discussions between the parties.

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs, on the one hand, and KBC, on the other, as follows:

1. The time for KBC to file its Individual Reply Brief in further support of KBC's Supplemental Motion to Dismiss in the main administratively consolidated adversary proceeding and in Adversary Proceedings Nos. 10-03635 and 10-03636 is adjourned until **June 30, 2017**.

2. This stipulation is without prejudice to any rights, claims or defenses of the parties and the parties do not waive, and expressly reserve, all other rights, claims, and defenses.

Dated: New York, New York  
June 21, 2017

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| <p><u>/s/ David J. Molton</u><br/>BROWN RUDNICK LLP<br/>David J. Molton<br/>May Orenstein<br/>Daniel J. Saval<br/>Marek P. Krzyzowski<br/>Seven Times Square<br/>New York, NY 10026<br/>Telephone: (212) 209-4800<br/>dmolton@brownrudnick.com</p> <p><i>Attorneys for Plaintiffs</i></p> | <p><u>/s/ Andrew P. Propps</u><br/>SIDLEY AUSTIN LLP<br/>Alan M. Unger<br/>Andrew P. Propps<br/>787 Seventh Avenue<br/>New York, New York 10019<br/>Telephone: (212) 839-5300<br/>Facsimile: (212) 839-5599<br/>aunger@sidley.com<br/>apropps@sidley.com</p> <p><i>Attorneys for KBC Investment Limited</i></p> |
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IT IS SO ORDERED.

Dated: June 22, 2017  
New York, NY

/s/ STUART M. BERNSTEIN  
Hon. Stuart M. Bernstein  
United States Bankruptcy Judge